His and Walter's Lawyers Plan to Put Justice Jaycox on Stand.

TELL OF BIG DEPOSITS

Bankers Say Accounts of Boss Ran Up Before Primaries.

McCOOEY IS A WITNESS

Puts Choice of Willett Entirely Onto Shoulders of Queen's Leader.

The attorneys for Curly Joe Cassidy ex-boss of Queens county, and Louis T Walter, Jr., his lieutenant, charged with conspiracy to sell a Supreme Court nomination to William Willett. Jr., intend to so through with their plan of trying to have the proceedings before Justice Jaycox in Part VII. of the Supreme Court in Brooklyn declared a mistrial. Robert M. Moore, lawyer for Walter, announced inferentially yesterday that he intends to call Justice Jaycox as a witness for the

When inquiry was made of Robert H. Elder, Cassidy's attorney, he said, "Ask Moore." Mr. Moore said:

"At the beginning of this trial I nounced my belief that Justice Jaycox was a material and important witness for the defence, and I still believe so. I would not be protecting the rights of my client unless I called every material and important witness to testify in his behalf. You can draw your own conclusion from

Asked to put it in so many words that he intends to try to call Justice Jaycox to the stand to-day, Mr. Moore refused.

This clash is likely to come to-day, as District Attorney Cropsey will probably finish the case for the people by the close of the morning session.

Lawyers in the court room agreed tha would have the result of making the present proceedings a mistrial, as Justice Jaycox could not properly sit in a trial where he is an important and material witness, nor could another Justice be summoned to sit while he is on the witness stand.

## Probable Testimony Mystery.

What Justice Jaycox could testify to a mystery. It is also a question whether he would consent to accept the service of a subpoena. He refused to accept a subpoena before the start of th trial on Tuesday unless counsel disclosed their reasons for summoning him. Mr. Moore then made affidavit that he had bona fide reasons for calling Justice Jay-cox, but the Justice ruled that the affi-davit was not conclusive, and failed to disclose any real reasons why he should be called.

The belief that William Willett. The belief that William Willett, 3r., 18 yeady to testify against Cassidy and Walter became general yesterday, although District Attorney Cropsey refused to confirm the report. The District Attorney added strength to the general belief, however, by announcing that he will move this morning, when Willett is noned to have sentence imposed, to the present trial.

convicted, for their jury to see Willett was by these stories."

by these stories."

by these stories."

He asserted that the reports reflected on counsel and jury and it was due the impression that Willett is trying to defendants that the court should disayow dicker with the District Attorney on the this connection it is known that

Willett sent an agent to Mr. Cropsey on trace the Monday to learn what effect it would be on Willett's sentence if he turns

State's evidence.

The District Attorney produced some new evidence against Cassidy and Walzer yesterday, evidence that was not allowed in the Willett case. On Thurs-glay he proved by a deposit slip of the Astoria National Bank that Cassidy had sited \$5,000 in cash on September He threw more light on Cassidy's and Walter's bank accounts yesterday.

# Big Deposits by Cassidy.

William McGready, receiving teller of the Far Rockaway branch of the Bank for Long Island in October, 1911, identi-fied a deposit slip dated October 2, 1911,

# McCopey Tells of Conference.

One of the first witnesses yesterday was He said that when the bill three new Justices was signed the Kings leaders were averse to giving one of these nominations to a Queens county man, but that finally this was made to Cassidy days before the convention. He said that when this matter had been agreed upon classidy refused to name the man whom he intended to pick. McCooey said that the name of Connolly had been suggested.

Cassidy suggested five or six names to him, and McCooey admitted that he did not know which of these Cassidy gavored until just before the convention. President Samuel R. Smith, president of the Bank of Long Island, repeated his sestimony given in the Willett trial, which is one of the strongest points of the prosethe day of the judiciary convention and got a loan of \$10,000. He quoted Willett

# DOUGHERTY AND NEWBURGER | ELEVEN INDICTED IN OUT OF POLICE DEPARTMENT

Leon G. Godley Named as Third Deputy-Inspector Faurot May Be Second.

The guiding influence of Mayor Mitchel n the Police Department was manifested yesterday when announcement was made by Commissioner McKay of the resignations of George S. Dougherty, Second Deputy Commissioner, and Harry W. Newburger, Third Deputy, to take effect next Monday.

Shortly after that news came the word that Leon G. Godley of 34 Jefferson ave nue. Brooklyn, who for several years has been an Assistant Corporation Counsel had been selected as Third Deputy to succeed Mr. Newburger. He will be sworn in on Monday and will go immediately to Brooklyn, where his headquarters will be. While he will be assigned specially to Brooklyn, he will preside also over police trials both in that borough and in Man-

hattan. While Commissioner McKay said that the announcement of the successor to Mr. Dougherty would be made probably on Monday, if not before, there were rumors yesterday that Inspector Faurot might be selected. It is said that a man from the uniformed force will be chosen. In-spector Faurot has made an unusual ecord in finger print and other scientific

Others mentioned for the deputyships are Arthur Woods, now secretary to the Mayor, and Supt. Bittinger of the Burns Detective Agency. William J. Burns, head of the agency, who has made a world-wide reputation, is said to be friendly with Mitchel and undoubtedly will be glad to have one of his men get such a

The resignations of Newburger and Dougherty are said to have been precipitated by requests on their parts to know where they stood. Mr. Dougherty for several years in the law office of had made arrangements to join his brother in a detective agency and he thought pointed an Assistant Corporation Counsel.



Police Inspector, Joseph A. Faure Who is mentioned as a possible successor to Deputy Police Commissioner Dougherty.

he ought to have some word from Com-missioner McKay or the Mayor as to what their plans in regard to him were. Mr. Newburger also wished to resume the practice of law. Both spoke to Commissioner McKay, who intimated that he would accept their resignations at once.

Dougherty succeeded William J. Flynn on May 2, 1911. At that time he was su-perintendent of the Eastern department of the Pinkerton Detective Agency.

cessor, Mr. Godley, is 36 years old. He was born in Corning, N. Y. He was educated in St. Lawrence University and

Resent Condemnation of Inter-

state Board Over Frisco

Financing.

NEVER MADE BIG PROFITS

Deny Knowing That Road Was

Insolvent When They

Speyer & Co. declare in a letter

Chairman E. E. Clark of the Interstate

Commerce Commission that the commis-

sion's condemnation of the firm as the

Frisco railroad's bankers in the recent

the \$3,000,000 bonds, for which they were

scored in the report, it was not true that

"every appearance indicated insolvency."

The bankers also say that their commis-

to only \$1,342,366 on \$104,988,000 of se-

curities sold between 1905 and 1913. The

"You state in your report of investiga-

tion of the Frisco railroad that 'the sale

of securities to the investing public

"The report goes on to say 'the bankers

"Your report also refers in general terms to 'extravagant arrangements with

bankers, to whom large profits accrued in the purchase of bonds and subsequent

in the purchase of bonds and subsequent sale of the same to the public.' Our total profit on the \$3,000,000 bonds transaction in March, 1913, amounted to \$4 of 1 per cent., and on our loans we received interest at the rate of 6 per

The bankers say that when they sold

report is not justified.

letter follows:

Sold Bonds.

pondent for several Brooklyn papers. He told of a visit paid to Cassidy on October 29, after the publication of a 29, after the publication of a newspaper TO FEDERAL CRITICS editorial in which it was said that one of the judicial nominees had bought his nomination. Cassidy had a statement for publication, and Gelwick went to get it.
"Mr. Cassidy handed me the statement

Saya Willett Was "Jobbed."

said Gelwick, "and when I had read it he asked me if I wanted any more informa-tion. I asked him what he meant by the word 'jobbed,' which he had used in the

"Willett was jobbed, said Cassidy," the witness stated. "'Ketcham and Callahan fixed him up in this way: When the matter broke in Brooklyn Willett wanted to go into the courts with it and get a judicial decision exonerating him. Ketcham and Callahan persuaded him it was best to be quiet. The proceeding in court having been stopped, they put the burden of stopping it on him.

"'If Willett had gone through with it everything would have been all right. Willett is telling the truth; I know about that automobile company's stock that he

that automobile company's stock that he

that automobile company's stock that he borrowed the money for.

""Joe, how much of the \$50,000 did you get?" I asked him.

""Did you ever take me for a fool?" Cassidy asked me.

""I never did." I answered.

""Well, if I did get any money," said Cassidy. "Id be a fool to tell you."

Gelwick said he asked Cassidy how it happened that Willett was named, and Cassidy first said the delegates did it. Pressed further, Cassidy said that he had had a conference with McCooey and that McCooey wanted Willett, because Willett had a good name, was a good speaker, a

had a good name, was a good speaker, a former Congressman and was popular. Justice Jaycox declared openly in court that no rumors of attempts at jury fixing were responsible for his order sending Cassidy and Walter to jail. As soon as court opened Mr. Moore and Mr. Elder with a copy of a Brooklyn evening paper read from the headlines

Cassidy and Walter, being tried for the I ask if your Honor's act was prompted and participate in the sale by the com-

The finish of the hearing yesterday was devoted to reading Walter's sworn testing devoted to reading Walter's sworn testing morphism and the prosecution will probable that morning and the prosecution will probable continue at 10 o'clock this morning and the prosecution will probable continue at 10 o'clock this morning and the prosecution will probable continue at 10 o'clock this morning and the prosecution will probable continue at 10 o'clock this morning and the prosecution will probable continue at 10 o'clock this morning.

Sale was signed.

"Your report states the dates of sales as from April 24 to May 14. While deliveries and payments were made on those dates, the fact is that our obligation to take the bonds had been fixed two months before, and it is not true that at morning and the prosecution will probable content of the sales of the are going to fail and I want to take care of you."

Berman went to the shop with Louis Mannevitz. Neither of these has been in the cived to-day was believed to have coin-mitted suicide suicide

At Plorida Resert.

PALM BEACH, Jan. 29.—A gay New years of its added posited on that date \$12,170.15. Of this amount \$1,500 was in cash.

He identified another deposit silp dated October 13, 1911, showing that Joseph Cassidy had deposited \$1,243.75, of which \$500 was in cash.

Hichard Van Sielen, receiving teller of the First National Bank of Jamaica, identified a deposit silp dated October 13, 1911, which showed that Joseph Cassidy had deposited in his bank on that date \$1,000, of which \$500 was cash.

Hichard Van Sielen, receiving teller of the Stoo was cash.

Hichard Van Sielen, receiving teller of the Which showed that Joseph Cassidy had deposited in his bank on that date \$1,000, of which \$500 was cash.

The plant of the Utah Capper Company of New York and Salt Lake, and nine guests from the Stoo was in cash.

Hichard Van Sielen, receiving teller of the Which showed that Joseph Cassidy had deposited in his bank on that date \$1,000, of which \$500 was cash.

The plant of the Utah Capper Company of New York was cash which showed that Joseph Cassidy had deposited in his bank on that salt these of the salt continued to the Stoo was cash.

Kenneth Cornell, receiving teller of the Park Rockaway branch of the Bank of Long Island, identified a deposit silp dated October 13, 1911, which showed that on October 7, 1911, Walter had deposited \$500 in cash in that and the start was made next day in Mr. Jackling and his friends in the start was made next day in Mr. Jackling and his friends in the start was made next day in Mr. Jackling and his friends in the start was made next day in Mr. Jackling and his friends deposited in his bank on that date \$1,000 in days in ach plant of the Utah Capper Company's officials experience of the plant of the Utah Capper Company's officials experience of the plant of the Utah Capper Company's officials experience of the plant of the Utah Capper Compa

ver. B. C., stopped here to-day in their private car, in which they started a few pulled through by bankers, who received days ago for the Panama Canal. They go on to Key West to-night. . Democratic leader of on to Key West to-night. on to Key West to-night.

Mr. and Mrs. Lewis Quintin Jones of New York, who are spending the winter in their villa in Miami, motored to Palm Beach to-day and lunched with friends. Mr. and Mrs. Leland Sterry gave a dinner party at the Poinciana last night for Mr. and Mrs. Girard Bement of New York.

H. B. Scott, Jr. of Wilmington, Pol.

H. P. Scott, Jr., of Wilmington, Del., and Mr. and Mrs. Lorenzo E. Woodhouse of Philadelphia came to the Breakers this morning for the remainder of the season. At the Poinciana registrations included Charles E. Goutier, Mr. and Mrs. J. B. Dempster, Earl E. Carly of New York: Mg. and Mrs. S H Thompson, Toronto; Charles M. Olmsted, Mr. and Mrs. P. M. Breedel, Mr. and Mrs. George R. Whit-ing, Buffalo; Mr. and Mrs. A. Richardson, Passaic, and Mr. and Mrs. H. O. Wilbur,

Charles M. Olmsted, Mr. and Mrs. P. M. Breedel, Mr. and Mrs. George R. Whiting, Buffalo: Mr. and Mrs. A. Richardson, Passaic, and Mr. and Mrs. H. O. Wilbur, Philadelphia.

Mrs. Reckefeller's Sister III.

TARRYTOWN, N. Y., Jan. 29.—Miss Lucy Spellman, sister of Mrs. John D. Rockefeller, returned to Tarrytown unexpectedly this morning in feeble health. She was in charge of a dector and a nurse, who made the trip with her from Cleveland. the day of the judiciary convention and got a loan of \$10,000. He quoted Willett as saying that he required the money to as saying that he required the money to get the nomination. He also said that after the convention Willett visited his home in Freeport and begged him to keep home in Freeport and begged him to keep the loan a secret.

One of the most interesting witnesses of a doctor and a nurse, who of the day was Harry R. Gelwick, 213

Franklin place, Flushing, who is the first duty under the new primary law."

A dozen of the firm, is already under arrest. A dozen of the twenty-five members of the larger committee were present. Another bankruptcy case which the larger committee were present. United States Attorney has under consideration is that of the National Leather company of 35 Spruce street, which failed several months ago for \$25,000. The manded of the firm, is already under arrest. A dozen of the twenty-five members of the Early five members of the Early five members of the States Attorney has under consideration is that of the National Leather Company of 35 Spruce street, which failed several months ago for \$25,000. The president of the company of 35 Spruce street, which failed several months ago for \$25,000. The president of the company of 35 Spruce street, which failed several months ago for \$25,000. The president of the company of 35 Spruce street, which failed several months ago for \$25,000. The president of the company of 35 Spruce street, which failed several months ago for \$25,000. The president of the firm, is already under arrest. A dozen of the twenty-five members of the firm, is already under arrest. A spellman, sister of Mrs. John Godfrey Saxe, Representation is that of the National Leather Company of 35 Spruce street, which failed states Attorney has under consideration is that of the National Leather Company of 35 Spruce street, which failed states Attorney has under company and resold. Leather Company of 35 Spruce street, which failed states Attorney has under company and resold. Le

STEIN BANKRUPTCY Two Lawyers and Firm of Bonis

& Co. Accused With Furriers Who Failed.

ASSETS ARE ALL TRACED

Girl Accused of Contempt Changes Mind and Testifies in Samuels Case.

Eleven indictments were handed down yesterday by the Federal Grand Jury charging conspiracy to conceal the as sets of Jacob Stein & Sons, fur dealers of 34 West Twenty-sixth street, who were put into bankruptcy several weeks ago. Among the defendants are two lawyers. at least one of whom is accused of having been active in advising the member of the firm how to dispose of assets with the aim of cheating the creditors.

These indictments, which were voted on Monday, as already told in THE SUN are the first of a series expected within a few days as the result of the investigation being carried on by United States Attorney H. Snowden Marshall into the methods of lawyers and tricky business men aimed to defraud creditors by fake bankruptcies.

The charge is that the defendants sought to conceal furs amounting to al-\$80,000. Only two members of Stein & Sons were indicted. They are Jacob Stein and his son, Phelps Stein. Another son, Herman, now returning to Another son, Herman, now returning to this country from Europe, is not involved. Four members of the firm of Bonis & Co., fur dealers, are named as defendants. The firm is charged with receiving furs amounting to \$45,000, for which they paid \$10,000, from Stein & Sons just before the petition in involved

untary bankruptcy was filed.

The men indicted are Henry M. Bonis and Samuel Bonis, Isaac Weinstein and and Samuel Bonis, Isaac weinstein and Samuel N. Samuels, Louis A. Malvin of the fur firm of Malvin & Co., which has failed, also was made a defendant. Solomon Papert, employed by Stein & Magis J. Command Philip Fishkin, a furrier of 109 West Twenty-ninth street, another sonthalaw of Stein are two more defend. in-law of Stein, are two more defend-

Bloch of see Bloch and also of wealthy relative of the Steins and also of wealthy persons to whom the Steins owed money. Bloch insists he had nothing more to do with the case except to look after the with the case except to look after the art night by a rope made of bedclothing and walked twenty-five miles to Lewiston.

The first few days were the hardest.

with the case except to look with the case except the last three or the first few days were the hardest. The girls were in constant fear of capture. They had little money and for the first week lived chiefly on water, with now and then a little more substantial food. four years. He is described as an extremely pleasing man, intelligent and highly versed in the bankruptcy law.

The indictments were handed in to Judge Killits in the Criminal Branch of the Federal Court about 2 o'clock yesterday afternoon and the grand jurors returned to their room to take up consideration of the case of Samuels & Co., another big failure.

The defendants had been held for an examination before United States Commissioner Shields at 2 o'clock and they were referred by him to the Criminal and was engaged at Colalzz's in East

were referred by him to the Criminal and was engaged at Colaizzl's in East Branch. All were present except Kuntz Twenty-fourth street. She told Miss Con-and Malvin. Their attorney promised they nelly that when arrested she was about and Malvin. Their attorney promised they would be in court to-day. Bail for Malvin was fixed at \$6,000 and Judge Killits The bankers also say that their commis-sions were never extravagant, amounting the other defendants had been held should

The investigation into the Stein case was caused by Stephen Brooks Rosenthal of Rosenthal & Heermance, attorneys for the Fur Merchants' Credit Association. Councily until Saturday. the present trial.

"It is quite possible that there is a lot of latitude allowed the newspapers in saying that there were rumors, but this saying the balacted the insolvency of the association, already has caused artiseting the balacted the insolvency of the sasciation, already has caused artiseting the balacted the insolvency of the association, already has caused artiseting the balacted the insolvency of the sasciation, already has caused artiseting the balacted the insolvency of the sasciation, already has caused artiseting the balacted the insolvency of the sasciation, already has caused artiseting the balacted the insolvency of the association, already has caused artiseting the balacted the insolvency of the association, already has caused artiseting the balacted the insolvency of the sasc rests in three or four alleged fraudulent being investigated. tion of one lawyer and of several business \$75,000 RANSOM FOR RICH MAN.

I ask if your Honor.

He asserted that the reports reflected on counsel and jury and it was due the defendants that the court should disavow the statement that Cassidy and Walter were locked up because of these rumors.

Justice Jaycox made the requested the dates when it was made. The fact is statement and said that he will try to statement and said that he will try to trace the rumors at the conclusion of the trace the rumors at the conclusion of the sale was signed.

The property of the sale in question, and especially you are in error as to the dates when it was made. The fact is that the negotiations were commenced in December, 1912, but were not concluded until March 19, 1913, when the contract of sale was signed.

The property of the sale in question, and especially you are in error as to the dates when it was made. The fact is that the negotiations were commenced in December, 1912, but were not concluded until March 19, 1913, when the contract of sale was signed.

The property of the sale in question, and especially you are in error as to the dates when it was made. The fact is that the negotiations were commenced in December, 1912, but were not concluded until March 19, 1913, when the contract of sale was signed.

The property of the sale in question, and especially you are in error as to the bankruptcy proceedings were started, the Steins were in their place of business and that Jacob Stein telephoned to Max Berman, a creditor, to come over to see him. Stein is alleged to have said: "Come over at once. We are going to fail and the property of the sale in question."

FROM PACIFIC TO PALM BEACH.

"The report goes on to say 'the bankers should have been aware of the poverty of the Frisco and its difficulties in obtaining funds.' This sentence amounts to an intimation that we were not aware of the general financial condition of the Frisco.

Palm Beach, Jan. 29.—A gay New &c., while the fact is that we were aware to the Hoffman House, where he engaged

to the Hoffman House, where he engaged a room, and from there called a number of persons on the telephone, the record genuinness of the letter. Chief Sebastian of which the prosecution now has. One got in touch with Mrs. Clark last night of these is said to have been Henry Silver, at Paso Robles by long distance telephone. bankruptcy. Presently the Steins, th Bonises and several other defendants ap-peared with Mannewitz and Berman. The charge is that in that meeting

plans for hiding the assets were discussed fully. Kuntz is alleged to have arguing both with the members of Bonis

# Liabilities Were \$175,000.

The liabilities of the company were found by the receiver to be about \$175.- the letter of the self-styled "blackmailers" 000 and only between \$2,000 and \$3,000 seriously or not. Efficin assets were recovered. Investigation, it is said, showed that nineteen bundles of Santa Barbara de furs worth about \$45,000 went to Bons & Co. There were twenty-nine other bundles or cases which the receiver located. Fishkin got two cases, it is said;
Papert, eleven cases or boxes: Mannevitz
& Berman, five cases. All of this
property has been returned to the re-

A number of bundles were traced to the Custom House. It is charged that Phelps Stein went to the Custom House and to brokers and tried to get possession of these furs.
The Grand Jury will continue its

vestigation of other phases of this case Belle Ettinger, who was charged with has not yet swung the club to his view contempt of court before Judge Killits

PALMER SAYS HE'LL HANG ON.

Has No Intention of Making Way for William Church Osborn. ALBANY, Jan. 29.—"I have no intention of resigning," said George M. Palmer, Democratic State chairman, to-night when asked if he had advised Gov. Glynn of his willingness to step down in favor of William Church Osborn.

of William Church Osborn.
"I know nothing except what I have read, of the report that there was a plan to groom Mr. Osborn for the place I now hold," continued Chairman Palmer. "I might add that it has never been suggested to me to step down."

One of Osborn's most loyal supporters declared to-night that Palmer would be automatically ousted if there were enough

State committeemen to wlect his su Gov. Glynn was asked to-night whether

or not it had been suggested to Mr. Palmer that he resign in favor of Mr. Osborn, but the Executive refused to answer the question directly. His man-ner of speaking, however, seemed to indi-cate that Mr. Palmer had heard more or less directly that his successor was likely to be named at the next meeting of the Democratic State committee.

# EASY TO SUCCEED IN **NEW YORK, SAYS GIRL**

Miss Kerr, 18, of Maine, Arrested as Vagrant. Tells of Brave Struggle.

An eighteen-year-old girl told Magistrate Reynolds in the Adams street police court in Brooklyn yesterday how she had made her way from Maine to New York and had supported herself since her arrival here last September.

She contradicted the popular idea that a country girl finds it difficult to make an honest living in New York. She insisted that she could get along unaided.

The young woman was Susan Winifred Kerr of Sanford, Me. She was arrested on Wednesday night as a vagrant on request of the Sanford authorities, and spent the night in the Adams street police sta-When arraigned yesterday morning she at once proceeded to prove to the Magistrate and to Probation Officer Anna J. Connelly that she was no vagrant and was capable of making her own way. She admitted that she is a runaway

from the Maine Industrial School at Hal-owell, to which she was committed at the instance of her parents. In the institution, Miss Kerr says, she The two lawyers named in the indict-ments are Henry Kuntz of 63 Park Row, counsel to the Steins, and Alexander Bloch of 346 Broadway, said to be a relative of the Steins and also of wealthy September she and another inmate, Emma was rebellious, but, finding it did not pay, she behaved well for two years. She was extent and learned stenography. Last

to start for Elmira where she had rec a better offer for cabaret work with four months' contract. In some way word got back to Maine of

the girl's whereabouts and her arrest was requested. Detectives Chrystie and Ward found her at 66 East Fifth street, Flatbush, where she was living with friends. made since coming to New York.

Magistrate Reynolds declined to commit

the girl and paroled her in custody of Miss

# "Blackmailers" Send News of

cis Lewis Clark, a wealthy man of Spo-cane, was received by Chief of Police Sebastian here yesterday. Mr. Clark disappeared from Santa Barbara on Jan-uary 17, and until the letter was received to-day was believed to have com-mitted suicide by jumping into the ocean

ransom of \$75,000. State in newspapers if folks will pay it or not. He is well taken care of. Yours Yours "THE BLACK MAILERS."

The sheet of paper bore this sentence across the top: "Notice—Make prompt reply in the papers, as he is very anxious Mr. Clark's friends in Los Angeles are inclined to place some confidence

who filed the first petition in involuntary and Mrs. Clark dictated a reply to the letter, asking that it be given to the news-papers as demanded by the letter writers. This is her reply:

This is her reply:
"I wish to communicate with you more fully concerning my husband's disappearance. I wish to know where the money is to be paid and in what manner. I wish to know the motive that inspired the supposed kidnapping. If my husband is held for ransom I will entertain the proposition contained in the letter addressed to Chief Sebastian, but before I commit myself I must know more."

The police are uncertain whether to take

The police are uncertain whether to take Efforts are being made Santa Barbara detectives, who have made a careful investigation of Clark's

disappearance, advance the theory that he had been abducted and brought Angeles in a power boat. This theory, the detectives declare, would explain the thiding of Clark's hat near the wharf at 1915. It is believed he will seek reting Santa Barbara on the morning following ment soon after the canal is opened, but his disappearance.

## that ONE FIGHT ON MURPHY WANES. Democratic Club Fails to Frame Rabid Resolution.

Judge Edward F. O'Dwyer, president of the National Democratic Club, apparently contempt of court before Judge Killits on Wednesday for refusing to answer certain questions before the Grand Jury investigating the bankruptcy of Samuels & Co., reconsidered her decision yesterday. She went before the Grand Jury and is said to have answered many questions in detail. It is regarded as likely empowering the chairman Alexander. day. She went before the Grand Jury a meeting of all the members on Monday and is said to have answered many questions in detail. It is regarded as likely empowering the chairman, Alexander that there will be indictments in this case that the case within a few days. Jacques Samuels, a "to instruct the Democratic electorate member of the firm, is already under ar-

# **GOETHALS BILLS** ABOLISH "TRIAL"

Police Commissioner to Have In revocable Power Under Mayor's Scheme.

LEGISLATURE TO-DAY

Mitchel Says They Are Certain to Pass.

bills, which will be introduced in the Legislature to-day Mayor Mitchel said last night:

built the Panama Canal as the head of the Police Department. They carry out the spirit and the letter of the written message of Col. Goethals to me stating the conditions on which he will accept the Police Commissionership. I am convinced furthermore that with this amendment to the law it will be possible for Col. Goe-thals to put an end forever to the so-called 'system' in the Police Department." In one important respect the bills are more radical than had been expected. They not only give the Commissioner irrevocable power of dismissal, taking from the courts the right to raviaw his discontinuous and the legitimacy of a child by that marriage. the courts the right to review his decisions, but they abolish altogether the system of quasi-legal trials for accused men which has long been in vogue at

## Policeman Can "Explain."

For the trial is substituted a written or oral "explanation" to be made by the accused man to the Commissioner or a deputy. The policeman explains his "case," he does not present it in a Headquarters court. The word "trial" has been struck out wherever it occurs in the parts of the charter which Mr. Mitchel desires amended. desires amended.

desires amended.

The Mayor said that the five bills are inseparable and taken together constitute one piece of legislation. They would have been incorporated in one bill but for constitutional limitation of a local bill one title and subject matter.
"The plan," the Mayor went on, "is to

bring the police under provisions similar tarium, at 26 West Sixty-first street, does not mention her mother, Mrs. Mary Nash and thus make it impossible for them to Agnew, her five sisters, her brother or her have a court review by writ of certiorar have a court review by writ of certiorari of any lawful discipline enforced by the Commissioner, whether in the form of dismissal from the service or of other proper punishment. They must be served with copies of written charges against them and will have the right to make their explanations either orally or in writing. They will also have the right to be represented by coursely the control of the course of the course

In place of the court review a section of the Goethals bills provides for an exgrant rehearings in proper cases. dismissal of men from the uniformed force to draw it. He learned that Mi is thus made an administrative proceed- Forest had been her attorney and is thus made an administrative proceed- property for him. Mr. de Forest

on the Mayor's opinion the rights of policemen will be strengthened by two of that the family residence of the bills, which provide that money they have paid into the pension fund shall be paid back to them with 4 per cent in the policement with a per cent in the period of the period back to them with 4 per cent in the period of the period back to them with 4 per cent in the period back to them with 4 per cent in the period of the period back to the period back to

lieutenants, who now have to serve two lieutenants, who now have to serve two The nephew is Samuel S. Auchi or three years respectively before they of Palisades, Mrs. Chisholm. can be promoted, need serve only six executrix, was Miss Edith Lawrence months in the case of a sergeant and one fore her marriage. year in the case of a lieutenant will be possible for a raw patrolman to rise to an inspectorship in ten years.

The principal bill gives the Commissioner the right to reduce sergeants to

# Pull Power to Commissioner.

street while her story is interpolated the words: "Nothing in this section shall limit the power of the Police Commissioner to dismiss or otherwise discipline without trial any member of the uniformed force by an order that shall be final, which final order shall not be sub-Lewis Clark, Thought Dead.

Los Angeles, Jan. 29.—A letter de-

dismissed policeman can, within one year, make written application to the Mayor for "another opportunity of making an explanation," and the Mayor may grant the application provided the policeman waives all claim for back pay or dam

tive leaders of the Demogratic, Republican and Progressive parties regarding the Goethals bills," said Mr. Mitchel

to the road building department of New York State," said the Governor in his next breath. "He is such a great builder, he could shape things for the State."

The Governor said his comment was only the expression of a thought that struck him just at the moment.

The bills will be introduced in the tracking the said of the said of

Accepts Governorship as Long at

WASHINGTON, Jan. 29.—What little doubt existed as to the attitude of Col. Goethals toward his appointment as Gov-ernor of the Canal Zone was dispelled today when Secretary Garrison received from the Colonel a cable message saying that his services were at the disposal of the President as long as needed.

It is now regarded as settled that Col.

ment soon after the canal is opened, but that the question of the Police Commissionership of New York will not come u again until after January 1 next.

As soon as he became Governor of the Canal Zone instead of chairman of the Canal Commission, Col. Goethals will for-feit \$5,000 salary. He now receives \$15,feit \$5,000 salary. 000 a year, while the Adamson act vides that the Governor's salary sho \$10,000.

# TWO SMUGGLERS FINED \$1.000.

Mrs. Alexander and R. T. Heite-

T. Heitemeyer, secretary and treasurer of R. Neuman & Co., leather manufacturers of Hoboken, pleaded guilty before Judge James L. Martin in the United States District Court yesterday to smuggling a diamond and sapphire pendant into the country when they returned on the same steamer from a trip abroad on November 22 last. They were fined \$1,000 each. Heitemeyer paid both fines. TELEPHONE CO. TO FOOT BILL

Offers to Provide Funds for

praisal of Its Lines. ALBANY, Jan. 29.—Frank H. Bethe... vice-president of the New York Tela-phone Company, submitted a proposal in the up-State Public Service Commission

the up-State Public Service Commission to-day which allows the commission to appraise the telephone company's property and rates as a basis of rate making The company will foot the expense bill which may amount to \$200,000. This is considered a complete acknow This is considered a complete acknowledgement by the company of the commission is to have undisputed control of the undertaking. Chairman Decker regretted that the work could not be done without using money furnished by the telephone company, but without begins to be the company of the comp

neither the city nor the State would stan the expense.

# MAY SETTLE GUGGENHEIM SUIT.

Chicago, Jan. 29 .- Efforts were made

\$78,000 and \$500 Monthly Allmon Offered to Former Wife.

to settle the Guggenheim divorce case to-day. Mrs. Grace Guggenheim Wahl's attorneys received from William Guggenheim an offer of the sum of \$78 Mrs. Guggenheim-Wahl alimony for the rest of her life.

The \$78,000 is for \$500 a month alimony from March 21, 1901. The offer was made by Guggenheim's attorneys, it was said, to prevent Mrs. Guggenheim-Wahl from again reopening the proceedings by which the obtained a divorce from deal

# **CUTS RELATIVES OFF**

his Gives Estate of More Than \$50,000 to Her Friend Mrs. Chisolm.

The will of Miss Eleanor Agnew. daughter of the late Dr. Cornelius Rea Agnew. made on January 16, two days tarium, at 26 West Sixty-first street, doe rict Attorney Whitman and Rober de Forest, president of the Metropolita Museum of Art, and it gives the entir estate, valued at more than \$50,000 to her "beloved friend," Mrs. George E Chisolm of 290 South street, Morristown

venue when she was taken to the ho pital. District Attorney Whitman lives he same house. He said lase knew nothing about her to when she was taken suddenly

have paid into the pension fund shall be paid back to them with 4 per cent, interest in the case of dismissal from the force for any reason event small the force for any reason event small the force for any reason event small them.



We recall how an intelligent customer asked one of our salesmen if this was a new concern, and on being told that the house was established the things he wants comes to me. I shall sign it." said Gov. Glynn to-night.
"Goethals would be a great adjunct to the road building department of New my life in New York and never heard of you before."

What a jar to one's commercial vanity as well as a comment on the efficiency of advertising.

Still, there are men who read our store talk knowing it to be straight business. To such let us say that this is bargain season.

To-day. Winter overcoats and shirts. To-morrow?

ROGERS PEET COMPANY,

Three Broadway Stores at Warren St. 13th St. 34th St.

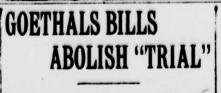




**EARL & WILSON** 

MAKERS OF TROY'S BEST PRO

SATEEN MADRAS



Glynn Favors Measures and

In making public the so-called Goethals

"Their passage will secure to the city of New York the services of the man who

proceeding, as it is under the present drew the will, and he and torney Whitman witnessed it.

any reason except conviction by a crim-Agnew, and the mother live the married sister. Mrs. Allen B.

Another bill provides that sergeants and lives at 27 West Sixty-seventh

# patrolmen without trial upon charges.

"I have consulted with some legisla

"All seem to favor them."

ALBANY, Jan. 29.—"If New York city needs Goethals and a bill providing for

The bills will be introduced in the Legislature to-morrow by Senator Pollock of Manhattan and Assemblyman Almeth W. Hoff of Kings. They were received in Albany to-day by Edward J. McGoldrick, assistant Corporation Counsel of New York city, and he immediately made arrangements for their introduction.

# GOETHALS ZONE'S HEAD.

He Is Needed.

Goethals will remain Governor until the canal is formally opened on January 1.

The Senate probably will confirm the nomination of Col. Goethals without reference to committee.

meyer Plead Guilty to Charge. Mrs. Edna Mae Alexander and Rober